



**KERRVILLE CITY COUNCIL MEETING AGENDA**  
**JANUARY 12, 2021, 6:00 PM**  
**CITY HALL COUNCIL CHAMBERS**  
**701 MAIN STREET, KERRVILLE, TEXAS**



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***City Council Meeting Procedures during the Disaster Declaration  
and Citizen Participation Guidelines***

COVID-19 (Coronavirus) provides a unique concern in that gathering members of the public, City Council, and City staff within a physical setting constitutes a public health risk. On March 16, 2020, the Texas Governor suspended certain requirements of the Open Meetings Act to permit open meetings to occur in a fully, or partially, virtual setting (telephonic/videoconference). The Governor has extended this order each month since this time.

Due to increasing Covid concerns and in an effort to avoid and mitigate health risks and limited occupancy levels in Council Chambers, City Council will convene the January 12, 2021 meeting in a virtual forum and attendance will be limited to only those persons essential to holding the meeting. No member of the public will be admitted into City Hall during this time.

City Council will use the following process for its meeting:

1. Citizens may view and hear City Council meetings on Spectrum Channel 2, or by live-streaming via the City's website ([www.kerrvilletx.gov](http://www.kerrvilletx.gov)).
2. City Council meetings are recorded and recordings are posted on the City's website.
3. Any person who wishes to participate and speak to City Council on an agenda item must call into the City by Zoom between 5:00 p.m. and 5:45 p.m. and register with the moderator.

**Instructions for Zoom callers:** The Zoom moderator will be accepting calls starting at 5:00 p.m. The deadline to place your call is 5:45 p.m. Place your call before the 5:45 p.m. deadline in order to register with the Zoom moderator and participate. Any calls made after the 5:45 p.m. deadline will not be answered, and microphones will be kept muted. Each speaker is limited to four minutes. Dial the toll free number: **1-800-832-5611**. If the toll free number is not functioning, call the Zoom alternative back-up numbers **1-346-248-7799** or **1-669-900-6833**.

When your call is answered you will hear "**Welcome to Zoom, enter your Meeting ID followed by pound**". Enter in the Meeting ID below followed by the pound sign (#), when prompted, enter the webinar passcode.

The Meeting ID is **949 2808 0395#** Passcode is **700755**.

Once you have called into the meeting, your microphone will be placed on mute and your call will be placed in the call queue. At this point, you will hear silence on the phone. Do not hang up. The moderator will unmute your microphone as he/she is going down the list. Once the workshop has started, you will be able to listen to proceedings even if your microphone is muted.

**Note:** Zoom is a third party vendor which provides the ability for remote participation. Software changes may be beyond what the City can control. If the City is notified of any issues from the third party vendor, the City will notify citizens and provide alternatives for engagement and participation.

**Instructions for written comments:** Written comments will be accepted for any agenda items, including Public Hearings. You are required to provide your first and last name, address, and identify the item you wish to comment on. All information must be provided in order for your comments to be read into record. Written comments can be provided two different ways:

- **OPTION 1 by hard copy** – Comments may be dropped off at the City Hall Utility Payments Drop-Box on the north side of City Hall by 5:00 p.m. the afternoon of the Council workshop.
- **OPTION 2 by email** - Comments may be emailed to [shelley.mcelhannon@kerrvilletx.gov](mailto:shelley.mcelhannon@kerrvilletx.gov) and must be received by 5:00 p.m. the afternoon of the Council workshop. In addition, anyone may email Councilmembers via their City email addresses as specified on the City's website.

Citizens may view and hear City Council workshops on Spectrum Channel 2 or by live-streaming via the City's website ([www.kerrvilletx.gov](http://www.kerrvilletx.gov)). City Council meetings are recorded and the recordings are posted on the City's website.

Thank you for your participation!

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**JANUARY 12, 2021, 6:00 PM**  
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**701 MAIN STREET, KERRVILLE, TEXAS**



**CALL TO ORDER:**

*Call to order by Mayor Bill Blackburn.*

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

*Led by Councilmember Judy Eychner.*

**1 ANNOUNCEMENTS OF COMMUNITY INTEREST:**

*Announcement of items of community interest, including expressions of thanks, congratulations, or condolences; information regarding holiday schedules; honorary recognitions of city officials, employees, or other citizens; reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by city officials or employees; and announcements involving imminent threats to the public health and safety of the city. No action will be taken.*

**2 PRESENTATIONS:**

2.A. Kerrville Kindness award.

Attachments:

[20210112\\_Recognition\\_Kerrville Kindness Award Blue Santa.pdf](#)

**3 VISITORS/CITIZENS FORUM:**

*Any citizen with business not scheduled on the agenda may speak to the City Council. Prior to speaking, each speaker must fill out the speaker request form and give it to the City Secretary. The speaker request form must be submitted to the City Secretary before the item is called or read into record. City Council may not discuss or take any action on an item but may place the issue on a future agenda. Each speaker is limited to four minutes.*

**4 CONSENT AGENDA:**

*These items are considered routine and can be approved in one motion unless a Councilmember asks for separate consideration of an item. It is recommended that the City Council approve the following items which will grant the Mayor or City Manager the authority to take all actions necessary for each approval:*

4.A. Resolution No. 05-2021. A Resolution authorizing the appointment of Assistant City Attorney.

Attachment:

[20210112\\_Resolution 05-2021 Authorizing Appointment of Assistant City Attorney.pdf](#)

4.B. Purchase of two International dump trucks with Warren 6/8 yard dump bodies, via HGAC Purchasing Cooperative in an amount not to exceed \$201,252.00.

Attachment:

[20210112\\_Quote Dump\\_Truck\\_Purchase.pdf](#)

4.C. Purchase of new Vac-Con sewer vacuum truck from Heil of Texas via Buy Board in an amount not to exceed \$377,735.75.

Attachments:

[20210112\\_Quote\\_VacCon.pdf](#)

[20210112\\_Contracts\\_Buyboard HeilofTexas.pdf](#)

-  4.D. Execute a change order decreasing the awarded amount for the 2019 Bond Street Reconstruction Package A project.  
Attachment:  
[20210112\\_Change order deduction 2019 Bond Phase A Street REconstruction.pdf](#)
-  4.E. Application for a license agreement to authorize a Downtown Sidewalk Cafe: PAX Coffee Shop, 203 Earl Garrett Street.  
Attachment:  
[20210112\\_Application\\_Sidewalk\\_Cafe\\_PAXCoffee\\_Shop.pdf](#)
-  4.F. Community Services Agreement by and between the City of Kerrville, Texas, and the Barnett Chapel United Methodist Church for renovation of the Glory Community Garden.  
Attachment:  
[20210112\\_Community Service Agreement\\_Barnett Chapel for Development of Glory Garden.pdf](#)
-  4.G. Funding Agreement between the City of Kerrville, TX Economic Improvement Corporation and the City of Kerrville, TX to fund a Concept Feasibility Study for an extension of the Kerrville River Trail from G Street to Downtown Kerrville.  
Attachment:  
[20210112\\_Agreement\\_EIC Project Funding Agreement Concept Feasibility Study - Extend River Trail.pdf](#)
-  4.H. Designation of an administration service provider for the 2021 Texas Capital Fund Downtown Revitalization/Main Street Program of the Texas Community Development Block Grant (TxCDBG) Program for application and project implementation.  
Attachments:  
[A508 CDBG Form - GrantWorks - 20210108.pdf](#)  
[A507 - CDBG - Grant Works.pdf](#)
- 4.I. Minutes for the City Council meeting held December 08, 2020.  
Attachment:  
[20210112\\_Minutes\\_CC Regular meeting 6pm 12-08-20.pdf](#)
- 4.J. Minutes for the City Council special-called meeting held December 17, 2020.  
Attachment:  
[20200112\\_Minutes\\_CC special-called meeting 12-17-20.pdf](#)

**END OF CONSENT AGENDA.**

**5 PUBLIC HEARINGS AND RESOLUTIONS:**

- 5.A. Resolution No. 02-2021. A Resolution granting a Conditional Use Permit to authorize a Tattoo shop on the property consisting of Lot 5, Block 33, of the Schreiner Addition, a Subdivision of record within the City of Kerrville, Kerr County, Texas; and located at 215 Water Street; said property is located within the Downtown Arts and Culture (DAC) Zoning District; and making said permit subject to certain conditions and restrictions contained herein.  
Attachment:  
[20210112\\_Resolution 02-2021 Conditional Use Permit 215 Water Street.pdf](#)
- 5.B. Resolution No. 03-2021. A Resolution granting a Conditional Use Permit to authorize a short-term rental unit on the property consisting of approximately 0.37 acres, comprising all of Lots 1 and 2, Block 3 of the Hill Crest Addition, a Subdivision within the City of Kerrville and more commonly known as 900 Tivy Street; said property is located within an R-1A Single-Family Residential with accessory dwelling unit Zoning District; and making said permit subject to certain conditions and restrictions contained herein.  
Attachment:  
[20210112\\_Resolution 03-2021 Conditional Use Permit 900 Tivy.pdf](#)

- 5.C. Resolution No. 04-2021. A Resolution amending Resolution No. 03-2019, which granted a Conditional Use Permit for the property located at 200 Main Street (State Hwy. 27); by amending the development site plan applicable to the gasoline station (fuel sales) with car wash and convenience store.

Attachments:

[20210112\\_Resolution 04-2021 CUP 200 Main Street.pdf](#)

**6 PUBLIC HEARING AND ORDINANCES. FIRST READING:**

- 6.A. Ordinance No. 2021-02, public hearing and first reading. An Ordinance vacating, abandoning, and closing a public right-of-way consisting of a portion of a sixteen foot wide alley, which was originally located in its entirety between Francisco Lemos Street and Hays Street; said portion consisting of approximately 0.0508 acres out Block 48 of the Chas Schreiner 2nd Addition to the City of Kerrville; making a finding that the alley is not required for present or future public use; authorizing the City Manager to take all necessary action to effectuate the vacation, abandonment, closure, and quitclaim; and providing for a public hearing.

Attachments:

[20210112\\_Ordinance 2021-02 HEB purchase of ROW alley closure.pdf](#)

- 6.B. Ordinance No. 2021-01, public hearing and first reading. An Ordinance annexing an approximate 33.81 acre tract of land out of the Samuel Wallace Survey No. 113, Abstract No. 347, into the corporate limits of the City of Kerrville, Texas; said tract generally located in the 3200 block of Loop 534 (Veterans Highway).

Attachments:

[20210112\\_Ordinance 2021-01 Annexing Loop 534 property.pdf](#)

**7 ORDINANCES. FIRST READING:**

- 7.A. 2018 Building and Related Codes. The following items will be presented and considered together as one item:

7A (1) Ordinance No. 2021-03, first reading. An Ordinance amending Section 26-32 of Chapter 26 "Building and Building Regulations" of the Code of Ordinances of the City of Kerrville, Texas, in its entirety by adopting the International Residential Code, 2018 Edition, for one- and two-family dwellings, regulating the construction, enlargement, alteration, repair, removal, demolition, conversion, occupancy, equipment, use, height, area, and maintenance of all one- and two-family dwellings and multiple single-family dwellings (townhouses) within the city; adopting local amendments; and renumbering Section 26-1 concerning the moving of a house upon city streets.

7A (2) Ordinance No. 2021-04, first reading. An Ordinance amending Section 26-31 of Chapter 26 "Building and Building Regulations" of the Codes of Ordinances of the City of Kerrville, Texas, in its entirety by adopting the International Building Code, 2018 Edition, regulating the construction, enlargement, alteration, repair, removal, demolition, conversion, occupancy, use, height, area, and maintenance of all buildings or structures within the city except one-and two-family dwellings and multiple single-family dwellings (townhouses), and including the National Electrical Code as referenced herein; adopting local amendments; and adopting a new Section 26-38 to require a permit for the construction of a fence.

7A (3) Ordinance No. 2021-05: first reading, adoption of an Ordinance amending Articles II, III, IV, V, and VI Chapter 26 "Building and Building Regulations" of the Code of Ordinances of the City of Kerrville, Texas, in their entirety by adopting the existing International Building Code, National Electrical Code, International Plumbing Code, International Fuel Gas Code, International Mechanical Code, International Energy Conservation Code, and the International Swimming Pool and Spa Code, 2018 Editions; and adopting local amendments to each code.



7A (4) Ordinance No. 2021-06, first reading. An Ordinance amending Chapter 50 "Fire Prevention and Protection" of the Code of Ordinances of the City of Kerrville, Texas, by deleting Sections 50-2 and 50-3; adding a new Section 50-5, to adopt the National Fire Prevention Association 101, Life Safety Code, 2018 Edition; and adopting local amendments to said code.

Attachments:

[20210112\\_Ordinance 2021-03 Adoption of 2018 International Residential Code.pdf](#)

[20210112\\_Ordinance 2021-04 Adoption of 2018 International Building Code.pdf](#)

[20210112\\_Ordinance 2021-05 Adoption of 2018 Mechanical Code.pdf](#)

[20210112\\_Ordinance 2021-06 Adoption of 2018 Fire Code.pdf](#)

**8 ORDINANCES, SECOND READING:**

8.A. Ordinance No. 2020-27, second reading. An Ordinance amending Ordinance No. 2003-16, which created a Planned Development District (PDD) for the property known as 401 W. Water Street; by adding Tattoo Shop as an authorized use for the property.

Attachment:

[20210112\\_Ordinance 2020-27 Zoning Code 401 W Water Street - second reading.pdf](#)

8.B. Ordinance No. 2020-26, second reading. An Ordinance annexing an approximate 5.00 acre tract of land known as 5275 Highway 27 into the City's corporate limits; adopting a service plan for the property annexed; establishing the zoning for the property and an adjacent property known as 100 Airport Commerce Parkway E. as an Industrial and Manufacturing Zoning District (IM).

Attachment:

[20210112\\_Ordinance 2020-26 Annexing 5275 State Highway 27 - second reading.pdf](#)

**9 CONSIDERATION AND POSSIBLE ACTION:**

9.A. The following Resolutions will be presented and considered together as one item:

9A (1) Resolution No. 06-2021. A Resolution concerning air quality permit (RN 163301), which if approved will authorize the construction and operation of a permanent rock and concrete crushers (quarry) at a site south of the intersection of Al Mooney Road and State Highway 27; expressing concerns regarding public health, safety, and welfare implications due to the impact of this operation; and urging thorough review of said application.

9A (2) Resolution No. 01-2021. A Resolution adopting the City of Kerrville's 2021 State Legislative priorities for the 87th Texas Legislature.

Attachments:

[20210112\\_Resolution 06-2021 Air quality permit operation of rock and concrete crusher.pdf](#)

[20210112\\_Resolution 01-2021 2021 State Legislative Priorities.pdf](#)

9.B. Construction Agreement with SJ&J Construction, LLC for the Guadalupe River Utility Crossing project in an amount of \$1,033,455.00.

Attachments:

[20210112\\_Bids\\_Guadalupe River Utility Crossing\\_Received Bids.pdf](#)

[20200112\\_Letter\\_Kimley Horn recommendation letter SJ-J Construction.pdf](#)

9.C. Briefing and possible action as to the City's ongoing preparedness and response to COVID-19 (Coronavirus).

**10 ITEMS FOR FUTURE AGENDAS:**

*City Council may suggest items or topics for future agendas.*

**11 BOARD APPOINTMENTS:**

11.A. Appointments to the Building Board of Adjustment and Appeals. (This item is eligible for discussion in Executive Session 551.074).

Attachments:

[20200128\\_Board Appointments\\_BBAA.pdf](#)

11.B. Appoint members to the Library Advisory Board.

Attachments:

[20201110\\_Library Advisory Board.pdf](#)

11.C. Appoint members to the Kerrville Recovery Community Coalition.

Attachments:

[20201208\\_Board Roster\\_Recovery Community Coalition 9-01-02.pdf](#)

11.D. Reaffirmation of member appointments and alternate member appointments to the Zoning Board of Adjustment. (This item is eligible for discussion in Executive Session 551.074).

**12 EXECUTIVE SESSION:**

*City Council may, as permitted by law, adjourn into executive session at any time to discuss any matter listed above if they meet the qualifications in Sections 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberation regarding gifts), 551.074 (personnel/officers), 551.076 (deliberation regarding security devices), and 551.087 (deliberation regarding economic development negotiations) of Chapter 551 of the Texas Government Code.*

12.A. Public Safety Building (551.071, 551.072).

**13 ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY:**

**ADJOURN.**

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I hereby certify that this agenda was posted as notice of the meeting on the bulletin board at the City Hall of the City of Kerrville, Texas, and on the City's website on the following date and time: January 08, 2021 at 6:30 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Shelley McElhannon

Shelley McElhannon, City Secretary, City of Kerrville, Texas

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I hereby certify that this agenda was modified and re-posted 1/12/2021 at 12:45 p.m.

*Shelley McElhannon*, City Secretary